

The Examiner already admitted in an earlier Office Action that Nakagawa does not disclose all these memories and then relied upon Inamura for disclosing a buffer memory. Applicant's argument is that the kind of data stored in these memory means makes the difference between the present invention and the cited references, although the Examiner maintains that it is a matter of design choice.

The Examiner is requested to review what is meant by "design choice". If the choice is between two designs having the same functions, it may be referred to as a design choice. If the choice is between two designs having different functions, it is incorrect to call it a mere matter of design choice. In the instant situation, the kinds of data stored in the memory means of a packaging system of the present invention allow the packaging system to function differently from the manner in which the data of the kind mentioned by Inamura would allow a machine of Nakagawa to function. Thus, the difference is not a matter of design choice, and the Examiner used the expression incorrectly.

To explain this point more in detail, Inamura relates to a drug packing apparatus. Although the expression "drug" is used in the title and throughout the claims section, it is admitted already in the beginning (column 1, lines 7-8) that "drugs" typically mean medical tablets, or pills. Elsewhere, it is explained that the buffer memory 423 serves to store data such as the kinds and the quantities of the pills and that a specified number of a specified kind of pills will be packed but there is no mention of varying the operation of the packing machine such that a different bag size will be used or the machine will be operated at different speeds, depending on the selected kind or number of pills to be packed. Varying the size of the container (such as the bag length) and the speed of package-making operation are matters of functions, not a matter of mere design choice. It should be noted that Inamura says nothing of varying the size of the tablet cases 6 according to the number of pills to be dropped in, or changing the speed of operation of the packing apparatus.

It is therefore believed that the amendment herein effected is responsive to the Office Action and that the difference between the present invention with functions more narrowly defined and Inamura is not a mere matter of design choice within the meaning to be properly interpreted.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "Version with markings to show changes made."

Respectfully submitted,



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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Claim 1 has been amended as follows:

1. (Twice amended) A packaging system comprising:
 - a packaging machine which transports a bag-making film along a path while forming said film into a tubular form, fills said tubularly formed film with articles to be packaged inside a bag having a specified bag length and seals said film to produce a packaged product;
 - a printer disposed along said path for printing specified print data and causing said printed specified print data to appear on said film;
 - a packaging condition memory which stores packaging conditions including said bag length and packaging speed for operating said packaging machine;
 - a print data memory which stores print data from which said specified print data are specified; and
 - a correlation data memory which stores correlation data between said print data and said packaging conditions, said correlation data memory storing specified ones of said print data in correlation with specified ones of said packaging conditions.